

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9107 of 1997

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PRAVIN VITHALBHAI

Versus

SUPERINTENDENT  
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Appearance:

MR VB GHARANIYA for Petitioners  
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CORAM : MR.JUSTICE S.K.KESHOTE

Date of Order: 24/12/97

C.A.V. ORDER

1. The petitioners, in all eight in number, filed this special civil application and prayer has been made for direction to the respondent to regularise their services and also to pass the same identical order as per annexure 'A' to this petition.

2. Annexure 'A' is the order of this Court passed in Special Civil Application No.3493/97 and cognate matter. This Court has directed in the facts and circumstances of that case to the Corporation to complete the process and pass appropriate orders, in accordance with law and in order of seniority, granting the consequential benefits to the petitioners therein at the earliest possible opportunity, preferably within a period of two months. There also the case of the petitioners was that the services of those employees who have completed a period of 900 days or more are being regularised by the Corporation. So that matter was of the Corporation and the respondent-herein is stated to be the Hospital of the Corporation. In case the petitioners feel that their case is covered by the aforesaid order of this Court then instead of filing of this special civil application before this Court they should have approached to the respondent. This course adopted by the petitioners is wholly ill advised. In a case where once this Court has decided a matter on principle then all the persons who are similarly situated have to be given the benefit of the said judgment whether they approach to this Court or

not. In case after making representation the petitioners are not extended the benefit of the judgment of this Court, which they claim to be covering their cases, then only there may be some justification in their action of approaching this Court. This writ petition in fact has been filed at the premature stage.

3. This writ petition is dismissed. However, the dismissal of this writ petition will not come in the way of the petitioners to file a representation to the respondent in respect of their grievance along with a copy of the order of this Court in special civil application No.3493/97 decided on 29th August, 1997, and if such a representation is made by the petitioners then it has to be considered in accordance with law and in case the grievance of the petitioners is not acceptable then a reasoned order may be passed and copy of the same may be sent to the petitioners by registered post.

(S.K. Keshote,J)

zgs/-